

A F F I D A V I T

STATE OF WEST VIRGINIA

COUNTY OF Kanawha, to-wit:

I, Sean McNees, being first duly sworn, do hereby depose and state as follows:

1. I am currently employed as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been so employed since January of 2016. I am assigned to ATF's Charleston, West Virginia, Field Office.
2. I have investigated cases involving firearms-related offenses, arson, crimes of violence, crimes involving individuals conspiring to obtain or use firearms to commit felony offenses, the illegal sale, possession and use of firearms during the commission of these criminal acts, as well as the use, distribution, and possession of illegal controlled substances. I have investigated crimes involving the illegal possession of firearms, and the trafficking of assorted controlled substances. I have utilized cooperating individuals to make controlled purchases of firearms and drugs. I have experience and specific training related to the identification of firearms and ammunition, and the function of firearms and destructive devices. I have training and experience that has made me familiar with the appearance,

packaging, paraphernalia and distribution of controlled substances such as, cocaine powder (HCl), cocaine base (crack), heroin, marijuana, LSD, opioid and other pharmaceuticals, methamphetamine and other commonly used street drugs. I am also familiar with tactics utilized by firearms traffickers, and illegal possessors of firearms to distribute, acquire, maintain and possess illegal firearms.

3. I graduated from a ten (10) week criminal investigator training course at the Federal Law Enforcement Training Center, where the course of study dealt with basic criminal investigation techniques. In addition, I graduated from the twelve week (12) Bureau of Alcohol, Tobacco and Firearms (ATF) National Academy, where a portion of the course of study dealt with violations of federal firearms laws, federal explosives laws, bomb scene investigation and arson investigation.

Probable Cause

4. On February 19, 2021, I met with a confidential informant (the "CI") who had purchased controlled substances from Shawn LE (LE) in the past. He placed a recorded call to LE and arranged the purchase of controlled substances and a firearm.
5. The CI was given \$450.00 in United States currency and a recording device, and he went to meet with LE. I watched LE leave his house, meet with the CI in the CI's vehicle,

leave the vehicle, and return to his house. This controlled buy happened in Charleston, Kanawha County, West Virginia.


6. The CI brought me back a substance that later tested positive as Fentanyl, a Schedule II controlled substance, and a North American Arms Inc. .22 caliber revolver, and 214 rounds of .22 caliber ammunition.

7. Based on my knowledge, training, and experience, the aforementioned information set forth in this Affidavit constitutes probable cause to believe that Shawn LE has committed a violation of 21 U.S.C. § 841(a)(1) - distribution of Fentanyl, a Schedule II controlled substance. Based on the information set forth in this affidavit, your affiant hereby requests that an arrest warrant for Shawn LE, be issued.

Further your affiant sayeth naught.


SA Sean A. McNees

Sworn to by the affiant telephonically in accordance with the procedures of Rule 4.1, this 20th day of July, 2021.


Dwane L. Tinsley
United States Magistrate Judge